

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Agriculture & Cooperation Department – Disciplinary matters - Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor - Allegations of Sexual harassment of women employees at work place - Departmental Proceedings issued under A.P. Civil Services (CC&A) Rules, 1991 - Dropping of further action and exonerating from the Articles of Charge – Orders – Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.543

Dated: 31/07/2023

Read the following:

1. From the Commissioner of Agriculture, A.P., Guntur, Letter No. Vig.I(2)240/2019, Dt:06.08.2020.
2. From the Commissioner of Agriculture, A.P., Guntur, Letter No. Vig.I(2)240/2019, Dt:15.03.2021.
3. G.O.Rt.No.799, A & C (Vig.I) Dept., dt.16.12.2021.
4. From the Commissioner of Agriculture, A.P., Guntur, Letter No. Vig.I(2)240/2019, Dt:18.03.2022.
5. G.O.Rt.No.202, A & C (Vig.I) Dept., dt.28.03.2022.
6. G.O. Rt.No.203, A & C (Vig.I) Dept., dt.28.03.2022.
7. From the Spl. Commissioner of Agriculture, A.P., Guntur, Letter No.Vig.I(2)240/2019, dt.07.03.2023.
8. Govt. Memo. No. AGC01-AGRI/293/2020, A&C (Vig.I) Dept., dt.19.03.2023.
9. From the Spl. Commissioner of Agriculture, A.P., Guntur, Lr.No.Vig.I (2) 240/2019, dt.29.05.2023.
10. Representation dt.10.07.2023 of Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor, received through Endtt.No.279, dt.12.07.2023 of Hon'ble Minister for Agriculture, A.P.

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ORDER:

In the references 1st read above, the Commissioner of Agriculture, A.P., Guntur has informed the Government that, Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu has harassed (6) women employees and hence requested the Collector & District Magistrate, Ananthapuramu to conduct preliminary enquiry into the matter, under the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and furnish a report.

2. In the reference 2nd read above, the Commissioner of Agriculture, A.P., Guntur has informed that, the Collector & District Magistrate, Ananthapuramu has submitted the report of the 'Three Member Committee' constituted by him, as per which the allegations against Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu are held proved, as per the statements of the women employees and requested to take further action as per A.P. Civil Services (CC&A) Rules, 1991.

3. Accordingly, the Government have initiated disciplinary action, under A.P. Civil Services (CC&A) Rules, 1991 against Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor, and issued him Articles of Charge, in the reference 3rd read above, through the Commissioner of Agriculture, A.P., Guntur, with a direction to submit his Written Statement of Defense (WSD), duly admitting or denying the Charge.

(P.T.O)

4. In the reference 4th read above, the Commissioner of Agriculture, A.P., Guntur has forwarded the Written Statement of Defense (WSD) submitted by Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District and presently working as Deputy Director of Agriculture (SC), Chittoor, in which he has totally denied the Articles of Charge issued against him and submitted the details in his defense and requested to drop further proceedings in the matter.

5. In course of further disciplinary action, the Government have appointed Sri G.Vinay Chand, Additional Director of Agriculture, O/o Commissioner & Director of Agriculture, A.P., Guntur, as Inquiring Authority, under rule 20 (2) of A.P. Civil Services (CC&A) Rules, 1991, in the reference 5th read above, to conduct regular inquiry into the Articles of Charge issued against Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District and to furnish report.

6. In the reference 6th read above, the Government have also appointed Sri V.Sridhar, Joint Director of Agriculture (Seeds), O/o Commissioner & Director of Agriculture, A.P., Guntur, as the Presenting Officer, under rule 20(5)(c) of A.P. Civil Services (CC&A) Rules, 1991, to present the case before the Inquiring Authority, on behalf of the Government.

7. In the reference 7th read above, the Special Commissioner of Agriculture, A.P., Guntur, has forwarded the Inquiry Report submitted by Sri.G. Vinai Chand, Additional Director of Agriculture, O/o Commissioner & Director of Agriculture, A.P., wherein the Inquiring Authority has submitted his findings as follows:

“The Articles of Charge issued against Sri SK. Habeeb Basha are lacking sufficient material evidences of the harassment of women employees in terms of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. During inquiry on 21.12.2022 at O/o the District Agriculture Officer, Ananthapuramu, the petitioners have also submitted their statements, expressing that they have no substantial material to prove their allegations against Sri SK. Habeeb Basha. The episode arose due to misunderstanding and misconception in the Office between the women employees and the Charged Officer while performing official duties. Therefore, the Articles of Charge issued against Sri Sk.Habeeb Basha, Deputy Director of Agriculture are not held proved.”

8. In the reference 8th read above, the Government have communicated a copy of the above Inquiry Report to the Charged Officer, Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor, through the Special Commissioner of Agriculture, A.P., Guntur, with a direction to submit his representation, if any, on the Inquiry Report.

9. In the reference 9th read above, the Special Commissioner of Agriculture, A.P., Guntur has forwarded the dated acknowledgement and representation submitted by the Charged Officer Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor, in which he has stated that he is totally convinced with the findings of the Inquiring Authority and requested to drop further action, duly exonerating him from the Articles of Charge issued.

10. In the reference 10th read above, Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor, has submitted a representation to the Hon'ble Minister for Agriculture, with a request to drop further action in the matter and to exonerate him from the charges framed against him.

11. The Government have examined the matter carefully and made the following observations:

"The ' Three Member Committee ' , constituted by the Collector & District Magistrate, Ananthapuramu, has submitted their report, without looking into the material evidences and stated that the allegation was proved, basing on the written and oral statements submitted by the women employees. There is no material evidence like audio/video recording. Further, in the regular enquiry conducted by the Government, the Petitioners did not produce any substantial proof of evidence in support of their allegations, except the written and oral statements produced. The petitioners themselves have also agreed in regular enquiry that they have no substantial material to prove in support of their allegations. Hence, the allegations were not held proved in regular enquiry."

Therefore, the Government have decided to drop further action against Sri Sk. Habeeb Basha, Deputy Director of Agriculture (SC), Chittoor and to exonerate him from the Articles of Charge issued against him.

12. Accordingly, the Government, hereby, drop further action on the disciplinary proceedings issued, under A.P. Civil Services (CC&A) Rules, 1991, against Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor, duly exonerating him from the Articles of the Charge issued against him.

13. The Special Commissioner of Agriculture, A.P., Guntur, shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**GOPAL KRISHNA DWIVEDI
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To:

The Special Commissioner of Agriculture, A.P., Guntur.

Copy to:

Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and presently working as Deputy Director of Agriculture (SC), Chittoor.

(through the Special Commissioner of Agriculture, A.P., Guntur)

The District Agriculture Officer, Chittoor/Ananthapuramu.

✓ The PS to Minister for Agriculture.

The PS to Chief Commissioner, RBKs &

Special Chief Secretary to Government (Agri.), A & C Dept.

Sf/Sc

// FORWARDED BY ORDER //

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SECTION OFFICER